

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

MIGUEL HERNANDEZ,

Plaintiff,

v.

NICK ELIOPOULOS et al.,

Defendants.

Case No. 2:23-cv-07621-SB-JC

ORDER TO SHOW CAUSE RE:
DISMISSAL FOR LACK OF
PROSECUTION

Plaintiff Miguel Hernandez filed his complaint against Defendant Nick Eliopoulos on September 13, 2023. Dkt. No. [1](#). On October 19, 2023, Plaintiff effectuated personal service on Defendant. *See* Dkt. No. [13](#). Defendant failed to timely respond, and Plaintiff has not sought entry of default. Plaintiff is ordered to show cause, in writing, no later than November 22, 2023, why his claims should not be dismissed for lack of prosecution. No oral argument on this matter will be heard unless otherwise ordered by the Court. *See* Fed. R. Civ. P. [78](#); Local Rule [7-15](#).

The Court will consider as an appropriate response to this order to show cause (OSC) the filing, on or before November 22, 2023, of an application for entry of default under Federal Rule of Civil Procedure [55\(a\)](#). The filing of such an application shall result in the automatic discharge of this OSC without further order. Failure to timely respond to the OSC will be deemed consent to the dismissal without prejudice of Plaintiff's claims against Defendant.

IT IS SO ORDERED.

Date: November 15, 2023



Stanley Blumenfeld, Jr.
United States District Judge